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USDOC FOR 532/OEA/M. NICKSON-DORSEY/JAY HATFIELD
USDOC FOR 3131/USFCS/OIO/ANESA/KREISSL
USDOC FOR 4530/MAC/ANESA/OSA
ICE HQ FOR STRATEGIC INVESTIGATIONS
STATE FOR EB/ESP

E.O. 12958: N/A

TAGS: [ETTC](#) [ETRD](#) [BEXP](#) [IN](#)

SUBJECT: EXTRANCHECK: POST-SHIPMENT VERIFICATION: ARMY SIGNALS
HEADQUARTERS, NEW DELHI, LICENSE NO. D362067

REF: USDOC 03043

¶1. Unauthorized disclosure of the information provided below is prohibited by Section 12(c) of the Export Administration Act.

¶2. BIS requested a Post-shipment Verification (PSV) at Indian Army Signals Headquarters (ASH), website: <http://mod.nic.in/>. ASH was listed as the Ultimate Consignee; Tata Consultancy Services Ltd. (TCS), Mumbai, as the Foreign Purchaser; and TCS, New Delhi as the Intermediate Consignee for hardware and encryption software items controlled under ECCNs 5A002 and 5D002. The license applicant was Cisco Systems Inc., San Jose, CA.

¶3. On April 4, 2007, BIS New Delhi delivered a formal request to Under Secretary (AMS) Prashant Agrawal (Agrawal), GOI Ministry of External Affairs (MEA) to arrange a PSV at ASH.

¶4. BIS New Delhi regularly followed up with Agrawal in an effort to complete the PSV as soon as possible. ECO met with Agrawal in May and June 2007 on three occasions and each time, this outstanding matter was brought to his attention. At first, Agrawal stated that he was having difficulty locating the appropriate official, as ASH is a very large organization.

¶5. On May 24, 2007, Agrawal stated that he had finally located the appropriate ASH official who had already applied for permission to host the PSV and was awaiting approval from senior leadership to grant facility access to the BIS Team.

¶6. On June 6, 2007, Agrawal informed ECO that ASH officials had stated that, due to an internal investigation, they might not be able to facilitate the PSV. ECO responded by advising Agrawal that if the PSV had not been satisfactorily completed by close-of-business Friday, June 15, 2007, he would be compelled to close the case with a finding of "unfavorable". ECO restated this declaration in an email to Agrawal on June 7, 2007.

¶7. Agrawal responded with an email to the ECO at 5:44 p.m. on June 15, 2007. Agrawal stated that the ASH officials had called him requesting an additional seven-day extension to complete the PSV. ECO declined to grant an additional extension.

¶8. Recommendation: The PSV request is currently 75 days old and 45 days past the EUVA deadline. MEA has been unable to arrange a verification visit for this transaction. No on-site inspection has been conducted and no transaction documentation has been provided. ECO cannot verify the location or the end-use of the listed commodities. Furthermore, ECO cannot verify Indian Army Signals Headquarters as a reliable recipient of the technology in question. Therefore, Post recommends an unfavorable Post-shipment

Verification. (PSCUSHMAN/PNARAYAN) Mulford